gentleman from Texas [Mr. DELAY] is recognized for 60 minutes as the designee of the majority leader.

Mr. DELAY. Mr. Speaker, I take this time to once again discuss an issue that is of great concern to the American people. That issue is judicial activism. And I am very pleased to join my colleagues in taking out this special order.

Last week a three-judge Federal appeals court reversed a decision made by Judge Thelton Henderson, who barred the enforcement of the California civil rights initiative. In reversing that decision, the appellate judge wrote, ''A system which permits one judge to block with the stroke of his pen what 4,736,180 State residents voted to enact as law tests the integrity of our constitutional democracy.''

Well, I think, Mr. Speaker, that is exactly right. Judicial activism threatens the checks and balances written into our Constitution.

And, Mr. Speaker, I would like to enter into the RECORD an article that appeared in today's edition of the Hill newspaper, written by Thomas Jipping, the director of the Free Congress Foundation's Center for Law and Democracy. The article is entitled ''Impeachment Is Cure for Judicial Activism.'' I think it is a well-reasoned and rational explanation of why impeachment should be used by this Congress as a tool to act as a check to the imperial judiciary.

[From The Hill, April 16, 1997]

IMPEACHMENT IS CURE FOR JUDICIAL ACTIVISM

(By Thomas L. Jipping)

America's founders knew that government power, if left unchecked, will always grow and undercut liberty and self-government. The judiciary is today proving them correct. Operating unchecked for generations, judges routinely reach beyond the ''judicial power'' granted by the Constitution and exercise legislative power they do not legitimately possess.

Judicial activism exists in part because Congress refuses to exercise the checks and balances the founders crafted. One of these is impeachment. Rep. Tom DeLay (R-Texas) recently drew howls of protest from the legal establishment and political left by suggesting that Congress revive this check on excessive judicial power, Rep. DeLay, however, is on solid ground. His critics like activist judges because they like what those judges do; they are simply not honest enough to say so. But it is Rep. DeLay's view of a judiciary exercising only judicial power, checked if necessary with the tools provided by the Constitution, that resonates with America's founders.

Activist judges claim the power to make our laws mean anything they wish. They practice Chief Justice Charles Evans Hughes' maxim that the Constitution is whatever the judges say it is. As President George Bush put it, they legislate from the bench. Even Humpty Dumpty could define judicial activism when he declared: ''When I use a word, it means what I choose it to mean—neither more or less.'' If judges have the power to determine the meaning of our laws, however, they have the power to make our laws. That is a power legitimately exercised only by the people and their elected representatives.

America's founders intended that Congress impeach activist judges. In The Federalist No. 81, Alexander Hamilton argued that ''the supposed danger of judiciary encroachments on the legislative authority ... is in reality a phantom.'' Why? Because, wrote Hamilton, ''there never can be a danger that the judges, by a series of deliberate usurpations on the authority of the legislature, would hazard the united resentment of the body entrusted with [impeachment].''

The Constitution allows impeachment for what it calls ''high crimes and misdemeanors.'' Advocates of unlimited judicial power yank this phrase from its constitutional moorings and give it whatever narrow meaning is convenient for their argument. American Bar Association President N. Lee Cooper repeated the current myth in The Hill (March 26) by arguing that judges may only be impeached for a ''criminal act.''

This bizarre theory has never been true and Mr. Cooper's reliance on high school civics for this theory demonstrates the dangers of both make-it-up-as-you-go judicial activism and the dumbing-down of American education. Arrayed against his position, however, is nothing less than 600 years of English and American legal and political history.

According to Prof. Raoul Berger, impeachment was created because some actions for which public officials should be removed from office are not covered by the criminal law. The phrase ''high crimes and misdemeanors'' already had 400-year-old roots in English common law when the framers placed it in the U.S. Constitution. English judges were impeached for misuse of their official position or power, mal-adminstration, unconstitutional or extrajudicial opinions, misinterpreting the law, and encroaching on the power of the legislature.

The Constitution's framers also believed that impeachable offenses extended beyond indictable offenses. When they settled on the phrase ''high crimes and misdemeanors,'' for example, George Mason and James Madison believed it included attempts to subvert the Constitution.

All of these are features of the judicial activism that today undermines liberty and self-government. Activist judges do not simply make decisions someone does not like; they exercise power they do not legitimately possess. If a willful exercise of illegitimate power is not impeachable, nothing is.

Faced with these facts, apologists for unlimited judicial power retreat to the cliché of ''judicial independence.'' They never utter a word when judges illegitimately steal legislative power, but suddenly discover judicial independence and the separation of powers at the suggestion of Congress legitimately checking judicial power. Checks and balances, however, cannot work only in the direction one likes.

Judicial independence is a means to the end of a judiciary exercising only the ''judicial power'' granted by the Constitution and leaving the lawmaking to the legislature. When judges go beyond their proper role and make up new meanings for our laws, it is those judges who violate their own independence and make necessary the checks and balances, such as impeachment, provided by the Constitution.

Mr. Speaker, an independent judiciary is the anchor of our democracy. A despotic judiciary may very well lead to the downfall of our democracy. I just urge my colleagues to consider all the tools within our constitutional authority as we, the Congress, take on a very real problem of judicial despotism. One of those tools is impeachment.

Despite the barrage of criticism that myself and my colleagues have suffered over the last few weeks, I think impeachment is a tool that we should consider using.

Mr. Speaker, I yield back the balance of my time.

JUDICIAL ACTIVISM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Texas, Mr. SAM JOHNSON, is recognized for the remainder of the time as the designee of the majority leader.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I appreciate the position of the other gentleman from Texas, Mr. DELAY. I come before the House today to talk about a problem that the gentleman has already laid out there, but it is quietly and steadily eating away at our constitutional system of government.

Judicial activism is not only compromising our long-held tradition of separation of powers, but throughout our academic and legal community they are pushing the judiciary to be activists in their decisions, so much so that any attempt by Congress to address this issue is immediately met with accusations of political sabotage and constitutional breach.

Mr. Speaker, I want to assure my colleagues that we in the Congress are not trying to undermine the Constitution. Far from it. We are trying to enforce it, to open the issue to public scrutiny and return the role of the Federal judiciary back to our Nation's intended belief, what our Nation's founders had always intended: That the third branch of the Government, the judiciary, is to be the weakest branch of government.

In The Federalist papers, number 78, Alexander Hamilton, for example, wrote that the judicial branch, quote,

> Will be always the least dangerous to the political rights of the Constitution, and that it may truly be said to have neither the force nor will but merely judgment.

The judiciary was intended to interpret the law, not to create it. But that is exactly what we are seeing in some of our courts today. They are not ruling on the law, they are creating the law.

Unelected Federal judges are furthering their own personal and political views by legislating from the bench and ignoring the will of the people of the United States. In fact, it has gotten so bad that judges are even overturning elections of our elected people.

David Barton, in his book, ''Impeachment: Restraining an Overactive Judiciary,'' said it best when he wrote that

> It has gotten to the point that any special interest group that loses at the ballot box only has to file a suit in Federal court to declare itself the winner.

And most of the time our judges are ruling with them.

If we just look at the recent instances of judicial activism, we will see some of the expansion of power that Federal judges are trying to achieve. I say some Federal judges, not all of

them. We have seen judges overturn cases based on the weakest of circumstances simply to further their own political views.

Judge Nixon, in Tennessee, a known opponent of capital punishment, has repeatedly issued rulings overturning cases where the criminal was sentenced to death.

More recently, I am sure everyone has heard of Judge Baer in New York, who overturned a drug conviction on a technicality even though the defendant admitted his guilt to the police.

In addition to these reversals, other Federal judges have taken it upon themselves to legislate from the bench, issuing far-reaching orders to impose their own set of political views on the American people. One of those famous cases involves Judge Russell Clark, who ruled in 1987 in Kansas City, MO, that the school system was segregated, and he issued a court order that called for a tax increase and forced the people of that State to pay for his desegregation scheme.

Well, $2 billion in taxpayer dollars later, the Kansas City school system is no better off, and he is probably backing up on that. Judge Clark's agenda included such things as animation labs, greenhouses, temperature-controlled art galleries, and a model United Nations wired for language translation. I am not sure I know what that has to do with segregation.

Closer to home for me, I spent quite a bit of time when I was in the Texas statehouse following the antics of Judge William Wayne Justice, whose rulings on our prison system in Texas forced us to allow prisoners to get out before their time was up, giving them a lot of good time, one; and, two, putting them in bigger rooms. In other words, where we had four beds, we could only put two; where we had two beds, we could only put one. And every man had to have his own color television set in prison. What a waste of taxpayer dollars addressing frivolous inmate lawsuits.

Also back home we are seeing another judicial activist arise in the form of Judge Fred Biery, who on January 24 of this year issued an injunction which prevented two duly elected officials in Val Verde County from taking office. Why? Because he would not allow 800 absentee military votes to be counted.

I consider this to be an affront to the rights of the military. As a matter of fact, after serving in the military for 29 years and being all over this Nation, I would say that it is important that we make sure that our military is allowed to vote, especially while they are defending the Nation.

It is a dangerous precedent where one judge can decide he just does not like the results of the election and simply overrules the results.

One final example, and perhaps the most newsworthy, is the decision by Judge Henderson in California, who issued an injunction stopping the implementation of proposition 209 in California, which would ban racial quotas in California and which passed with 54 percent of the vote of the State.

Not many people know that that particular judge, Judge Henderson, had once served on the board of the American Civil Liberties Union of California, an organization which took an active interest against proposition 209, and here he is ruling with his own special interest group against the people of California who with more than 4,700,000 State residents voted to enact as law proposition 209.

I think that tests the integrity of our constitutional democracy, and I think that the three-judge panel which had the courage to remind their colleagues of the judiciary's rightful place in our constitutional democracy and overrule that ought to be commended.

We cannot always count on Federal judges to keep their colleagues in check, and that is why I feel like Congress must exercise our duty to ensure that the third branch of the Government does not exceed its authority.

Mr. SCARBOROUGH. Mr. Speaker, will the gentleman yield?

Mr. SAM JOHNSON of Texas. I yield to the gentleman from Florida.

Mr. SCARBOROUGH. Mr. Speaker, I can tell the gentleman that I have similar concerns, even though I recognize, like the gentleman does, that the overwhelming majority of the Federal judges that serve in this country do an honorable job.

Back in my area, I have long admired Judge Stafford and Judge Vincent and Judge Collier and Judge Novotany, and all those that have done a great job. But there are, we have to admit, in any profession, some renegades that do violence to the integrity of the system, to the Constitution, and I guess that is what has concerned me the most.

As conservatives and others concerned with judicial activism have come out and started asking some tough questions, we have heard everybody come out and start squealing and talking about how to even look at the system is somehow a threat to democracy. In my understanding of democracy, my understanding of our Constitution, my understanding of 2,500 years of Western civilization style democracy, more a threat to democracy than asking questions in the free marketplace of an idea would be a single judge with a single stroke of the pen being able to erase the popular will of 5 million California residents. That is an outrage.

Mr. SAM JOHNSON of Texas. Well, Mr. Speaker, reclaiming my time, I would ask the gentleman, does he think that the Congress, I mean our country's founders, when they wrote our Constitution, they were pretty smart fellas, and they said, OK, we will appoint these judges for life, but we will give the Congress a method to rein them in if they get out of hand. And that rein-in, I think, is what the gentleman from Texas [Mr. DELAY] was alluding to earlier, that the Congress has the sole discretion to impeach when they get out of line.

Mr. SCARBOROUGH. If the gentleman would continue to yield, we certainly do have the opportunity to supervise what is happening in the judiciary; obviously, allowing them the independence they were afforded in the Constitution, and recognizing that the genius of our system is the fact we do have separation of powers.

The gentleman read from Alexander Hamilton's Federalist paper number 78. Number 81 is equally instructive, where Alexander Hamilton argued that,

> The supposed danger of judiciary encroachments of the legislative authority is in reality a phantom, because there never can be danger that judges, by a series of deliberate usurpations on the authority of the legislature, would hazard the united resentment of the body entrusted with the power of impeachment.

To paraphrase, Hamilton is saying that the judges would never be so brazen as to ignore their constitutional mandate for the people in this legislative body. The legislative branch of government was given the power to rein in the judiciary if the judiciary did violence to the Constitution by actions that were highly inappropriate.

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There can be no debate among any reasonable man or woman that understands the constitutional history of this country that our Founding Fathers never anticipated a single judge, a single lower court Federal judge being able to eradicate with one signature the popular will of 5 million American citizens. It does violence to the very concepts that they fought for in the Revolutionary War.

Mr. SAM JOHNSON of Texas. Let me quote from the Federalist Papers again, from Hamilton, in No. 78. He also says, which follows what the gentleman said, ''It may truly be said that no judge shall have either force nor will but merely judgment.''

If the gentleman recalls back in the 1800's, they even talked about impeaching judges, Federal judges because they cussed in court.

Mr. SCARBOROUGH. If the gentleman will yield further, let me just say, there are some people that are talking about different forms of reining in the Federal judiciary. I know that the whip has been talking about certain things. I would like to see us do it in a calm, rational manner. I think it is time for us to come together as a country and as a legislative body and reexamine the realities of the judiciary in the late 20th century and recognize that things have moved in a certain direction, a bit away from what our Founding Fathers anticipated, and get Congress to start looking into the issue of judicial activism, which we have heard hues and cries about for many years now, and just see if judicial activism really does pose the type of threat to the Constitution that many of us believe it does, and, if so, hopefully, we can enact some commonsense solutions without going after

any judge, without attacking any particular viewpoint and just have a thoughtful examination of what type of institutional changes that Republicans and Democrats and conservatives and liberals can all come together on to make sure that the judiciary does its job, does the job that our Founders intended it to do and, while doing that, we maintain a clear separation of powers between all branches.

I can tell the gentleman that right now the judiciary may be perceived as liberal. But in the years to come, there certainly will be a shift to the right, and at that time I would certainly hope that the more liberal Members in this legislative body would also be protected in the way that our Founders would want their legislative items to be protected.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield to the gentleman from Colorado [Mr. SKAGGS], one of our colleagues from the other side of the aisle who has a comment.

Mr. SKAGGS. I appreciate the gentleman yielding. I think it is important when we are discussing something as fundamental to the Republic as the separation of powers and the importance of an independent judiciary that perhaps those of us with a slightly different cut on this be heard. It seems to me absolutely essential that we keep in mind that it is the judicial branch of Government through long-established practice and tradition and constitutional foundation that is the ultimate arbiter of the requirements, the constraints, and the liberties guaranteed under the Constitution. And so it is entirely within the prerogative, and appropriately so, for the judiciary to either countermand the legislative branch acting through this Congress or through State legislatures, or the people exercising their residual legislative powers through referenda, to countermand that when enactments violate the Constitution.

We had an occasion for that just last week in which a Reagan-appointed judge, hardly a liberal, properly instructed this Congress that we had violated the basic provisions of the Constitution in attempting to give the President of the United States line-item veto authority by statute. We need to be very careful that when we are holding the judiciary up to scrutiny and invoking the potentiality of impeachment, that that not be done on the basis of their exercising their proper authorities and role under our system of government and the division of powers, but only in those events in which they have clearly been engaged in actionable misconduct and abuse, not merely a difference of opinion about constitutional interpretations.

Mr. SAM JOHNSON of Texas. I do not think that is the case at all that we are trying to enunciate here. The fact of the matter is that the judiciary should, and I agree with the gentleman, rule on the Constitution and constitutionality of anything that happens in the Congress or out in the States. But the question that we are addressing is that some of these judges, for whatever reason, political, social, or otherwise, have ruled based on that, not necessarily a constitutional base for their ruling.

Mr. SCARBOROUGH. If the gentleman will yield further, I will ask the gentleman a question, because he brings up a very good point. An issue like the line-item veto I think helps illustrate some of our concerns. I want to say more particularly my concern is not necessarily in individual judges, in trying to seek retribution from individual judges because we do not like how they rule. That, obviously, causes some serious problems. But my concerns go more to structural changes.

For instance, we had a single Federal judge in California, as the gentleman knows, that with a single stroke of the pen wiped out the view of 5 million Californians. The same thing with a single judge being able to interject his opinion, and again I am not saying his opinion is a flawed opinion. Quite frankly, even though I voted for the line-item veto, I have some very serious concerns and I think any reasonable man or woman could interpret it both ways.

But the question I would like to ask the gentleman is, does he think that it would be reasonable for us as the legislative branch, who have been given power to oversee the judiciary and decide where the jurisdiction rests, to look at structural changes and ask a question like, for instance, whether a single Federal judge should be empowered to stop something through injunction or whether we should possibly have a three-judge requirement? Again, this cuts both ways, liberal or conservative. Would the gentleman say that is a rational question to ask?

Mr. SKAGGS. There is no question that we have the appropriate power as the Congress to determine jurisdictions of lesser courts, the remedies that may be available in the cases of certain causes of action. That is not a particularly contentious proposition.

What was worrisome to me, and I came into the Chamber after my colleagues had been engaged for some time, was referencing again the potential use of the impeachment powers of the Congress to get at actions on which there is simply a disagreement as to wisdom and propriety as opposed to going to the underlying questions of the independence of the judicial branch of government. I think no matter how we may couch it, if we engage in relatively casual discussion of the invocation of impeachment, that goes right to the core and the quick of the independence of the judicial branch of government, which has a terribly important value to this society.

Mr. SCARBOROUGH. Exactly. The gentleman certainly will find that I will not disagree with him on that point. We need to be very careful to not overstep our boundaries. Obviously in extreme situations, impeachment possibly may be looked at, but not in situations where again reasonable men and women could differ.

Again going back to the question, does the gentleman think the time is right for us as a legislative body or as Members in this body to look at possible structural changes in the judiciary? Like for instance on the three-judge panel to decide an issue on whether a proposition that passed with 5 million votes should be handled by a single judge or whether we should somehow protect the voters by empowering a three-judge panel?

Mr. SKAGGS. Given that we have a tradition in comparable areas of especially impaneled three-judge courts to deal with civil rights cases and other constitutional matters, clearly there is precedent for that and I do not have any problem with this body debating the relative wisdom of having more than a single member of the bench rendering judgment in certain very, very important matters.

I would add, however, that the number of people that happen to vote for a referendum, while lending itself to effective rhetoric, does not really get to the question of whether the underlying issue is clearly one that implicates protections guaranteed by the Constitution. As the gentleman well knows, one of the underlying objectives of our constitutional system is to make sure that we have a government of law, that it is not subject to the popular passions of the time which can sometimes manifest themselves in referendums that may pass. Whether 5 million votes or more, it may nonetheless be in violation of basic constitutional requirements.

Mr. SCARBOROUGH. The gentleman is correct. It certainly makes for good drama when we talk about a single judge eradicating the popular will of 5 million people. But the same thing could be said about, again, a decision, to be really honest with the gentleman, I was relieved on the line-item veto decision.

Mr. SKAGGS. I appreciate the gentleman's candor on that.

Mr. SCARBOROUGH. But still structurally again, there is a question on whether we would want a single judge being able to sign off on that, because by this single judge doing that, he has put himself in the middle of a 3-year budget debate that seriously impacts the White House's ability and Congress's ability to figure out where we are going to go in the next few months. I would personally like to see at least a safety net of three judges looking at an issue that important.

Mr. SAM JOHNSON of Texas. I appreciate the gentleman from Colorado [Mr. SKAGGS] talking with us.

Let me just read the gentleman from article 3, section 1, Ralph Burger's comment, he is a legal commentator, who says that the framers of our Constitution did not intend to shelter those who indulge in disgraceful conduct short of great offenses, meaning

that the high crimes and misdemeanors does not necessarily have to be an offense that is written into the law. It is not to import the standards of good behavior into high crimes and misdemeanors, but to indicate that serious infractions of good behavior, though less than a great offense, may yet amount to high crimes and misdemeanors in common law.

What he is saying is that judges ought to act like judges and they ought to rule on the Constitution, as you and I both agree on, and that is all we are trying to say.

Mr. SKAGGS. Amen.

Mr. SAM JOHNSON of Texas. I thank the gentleman from Colorado [Mr. SKAGGS], and I thank the gentleman from Florida [Mr. SCARBOROUGH].

HUMANITARIAN AID CORRIDOR ACT

The SPEAKER pro tempore (Mr. ROGAN). Under a previous order of the House, the gentleman from New Jersey [Mr. PALLONE] is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, today I received very disappointing news from the State Department. The President determined today to permit assistance under the Foreign Assistance Act and the Arms Export Control Act to the Republic of Turkey. This is in spite of the fact that Turkey is maintaining an illegal and downright cruel blockade of the Republic of Armenia.

Mr. Speaker, for the past 2 years, the Foreign Operations appropriations legislation has contained a provision known as the Humanitarian Aid Corridor Act which prohibits U.S. economic assistance to those countries blocking delivery of humanitarian aid to third countries. While this provision is not country-specific, it clearly applies to Turkey, which for more than 4 years has maintained a blockade of neighboring Armenia. While the people of Armenia are struggling to build democracy and reform their economy according to market principles, the blockade imposed along their border with Turkey disrupts the delivery of vitally needed humanitarian supplies.

The Humanitarian Aid Corridor Act, unfortunately, lacks enforcement teeth since it grants the President the power to waive the provisions on very vague national security grounds. In order to make the Corridor Act mean something, last year this body approved an amendment to the Foreign Ops bill, sponsored by the gentleman from Indiana [Mr. VISCLOSKY], that would limit the Presidential waiver authority to provide U.S. economic assistance to countries that violate the Humanitarian Aid Corridor Act. More than 300 Members of the House voted for this amendment, which would have essentially given the Humanitarian Aid Corridor Act some teeth and not allowed the Presidential waiver in most cases. Unfortunately, the amendment was stripped in conference and the gentleman from Illinois [Mr. PORTER] included language instead that required the President to provide a justification for determining that it is in the national security interests of the United States to provide the economic assistance despite the fact that the recipient country, in this case Turkey, is in violation of the Corridor Act.

I want to commend the gentleman from Illinois [Mr. PORTER] for putting that language in, because we did at least get a semblance of a justification from the State Department. But I have to say that the justification issue today was not very convincing.

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Mr. Speaker, this action by the administration comes at a particularly bad time. Next week marks the 82d anniversary of the beginning of the genocide against the Armenian people which was perpetrated by the Ottoman Turkish Empire. This genocide, which the Republic of Turkey has refused to acknowledge, ultimately claimed the lives of 1.5 million Armenians. Another 500,000 Armenians were deported.

Many Members of this House will take part with me in a special order next Wednesday to commemorate this solemn occasion. To have made this determination at this time I think is very inappropriate.

Mr. Speaker, I bear no ill will to the Turkish people. I am simply saying that maintaining good relations should not entail turning a blind eye to the outrageous actions committed by the Turkish Government. Given the generosity the United States has shown toward Turkey it is inappropriate, or I think I should say in this case it is appropriate for us to attach conditions, particularly such a basic condition as allowing the delivery of aid to a neighbor in need. I think most Americans would assume that a condition for U.S. aid should be that that country allows other U.S. aid to go through its country or its borders to another country that needs the aid. People, I think, in this country would be shocked to know that such a provision is not already a requirement on the recipients of U.S. assistance.

I want to say in conclusion that Armenia is a very small landlocked nation, dependent on land corridors from neighboring countries for many basic goods. Armenia has been one of the most exemplary of the former Soviet republics in terms of moving toward a Western-style political and economic system.

I traveled there earlier this year and can report that the blockade is having a devastating impact. The Armenian people respect and admire the United States. There are more than 1 million Americans of Armenian ancestry here. The bonds between our countries are strong and enduring, but the people of Armenia face a humanitarian crisis which is not the result of any natural disaster, but a deliberate policy of its neighbor to choke off access to needed goods from the outside world. We believe the exertion of U.S. leadership can play a major role in these intentions in promoting greater cooperation among the nations of the Caucasus regions, but the Humanitarian Aid Corridor Act is an important part of this component. If we do not adhere to the Humanitarian Aid Corridor Act and if the administration and the State Department continue to allow it to be waived, I think in the long run it is going to be detrimental to peace and better cooperation between Armenia and the other nations of the Caucasus and the United States, and I think this is a mistake that the State Department continues to exercise this waiver.

REAL LIFE EFFECTS OF NAFTA

The SPEAKER pro tempore (Mr. ROGAN). Under the Speaker's announced policy of January 7, 1997, the gentleman from Michigan [Mr. BONIOR] is recognized for 60 minutes as the designee of the minority leader.

Mr. BONIOR. Mr. Speaker, I thank my colleague, the gentleman from New Jersey [Mr. PALLONE] for his remarks with respect to Armenia, and I thank my colleague, the gentleman from Oregon [Mr. DEFAZIO] for joining me this evening to talk about the North American Free Trade Agreement.

Four years ago in this Chamber and around the Nation, we had a major debate on NAFTA, the North American Free Trade Agreement, and it really was a debate about our economic future and the economic future of Canada and Mexico as well. In many ways it was based more on theory than on reality. We had all sorts of studies and projections and promises and claims, and now we have had nearly 40 months to see exactly where we are, how this has worked, how it has not worked. Today we know about the real-life effects of NAFTA. We have the trade data, we have the job data, we have the environmental data. But just as importantly we have personal real-life stories from thousands of people telling us how NAFTA has affected them, what it has done to their jobs and their wages and their environment and the communities that they live in. And it is a story, a cautionary tale, that we have to start telling America about today, because today this debate is moving into a new phase.

Now supporters of NAFTA want to expand it to new countries, and to do that they need a procedure that is known as fast track, and let me tell you what it is. Basically fast track allows the administration to negotiate trade agreements with other countries and then to submit them to Congress, and we are required here in the Congress to expedite the passage or rejection of that agreement without any opportunity to change the agreement. We are locked into either a ''yes'' or a ''no'' on what this negotiated.

So we need to think long and hard before we make and grant this authority. It is an awesome authority in its